

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

DAMIEN MARQUEZ,

Plaintiff,

v.

CAROLYN W. COLVIN,  
Commissioner of Social Security,

Defendant.

No. 2:13-CV-3087-JTR

ORDER GRANTING STIPULATED  
MOTION FOR REMAND  
PURSUANT TO SENTENCE FOUR  
OF 42 U.S.C. § 405(g)

**BEFORE THE COURT** is the parties' stipulated Motion for Remand of the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 20. Attorney D. James Tree represents Plaintiff; Special Assistant United States Attorney Sarah L. Martin represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 8. After considering the file, and proposed order,

**IT IS ORDERED:**

1. The parties' Stipulated Motion For Remand, **ECF No. 20**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

On remand, the administrative law judge (ALJ) shall: (1) reevaluate the medical source opinions, including the opinions by the medical experts Ken Layton, Psy.D., and Lloyd Meadow, Ph.D.; (2) reassess Plaintiff's residual

1 functional capacity and provide rationale for the assessed limitations; (3) give  
2 further consideration to Plaintiff's subjective complaints; and (4) obtain  
3 supplemental vocational expert evidence if the case proceeds to step five of the  
4 sequential evaluation process. If Plaintiff is found disabled, the ALJ will further  
5 determine whether Plaintiff's cannabis use is a contributing factor material to the  
6 determination of disability in accordance with 20 C.F.R. § 416.935 and SSR 13-2p.  
7 The ALJ will obtain medical expert testimony to evaluate the nature and severity  
8 of Plaintiff's mental impairments and the materiality of the cannabis use.

9 2. Judgment shall be entered for **PLAINTIFF**.

10 3. Plaintiff's Motion for Summary Judgment, **ECF No. 16**, is  
11 **STRICKEN AS MOOT**.

12 4. An application for attorney fees may be filed by separate motion.

13 The District Court Executive is directed to enter this Order, forward copies  
14 to counsel, and **CLOSE THE FILE**.

15 DATED April 11, 2014.



A handwritten signature in black ink, appearing to read "M", is positioned above the printed name of the judge.

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JOHN T. RODGERS  
UNITED STATES MAGISTRATE JUDGE